



0054

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8219

UNITED STATES OF AMERICA,

Plaintiff,

v.

Leonardo Daniel LEON-Moreno,

Defendant.

Magistrate Case No.:

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960

Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

On or about March 11, 2008, within the Southern District of California, defendant Leonardo Daniel LEON-Moreno did knowingly and intentionally import approximately 29.24 kilograms (64.33 pounds) of cocaine, a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO, BEFORE ME, AND SUBSCRIBED IN MY PRESENCE THIS 12th
DAY OF MARCH, 2008.

Peter C. Lewis
U.S. MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Leonardo Daniel LEON-Moreno

4 STATEMENT OF FACTS

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6 This complaint is based upon the personal observations, investigation and
7 information provided to U.S. Immigration and Customs Enforcement Special Agent
8 Timothy L. Henderson.

9 On March 11, 2008, Leonardo Daniel LEON-Moreno entered the United States
10 at the Calexico, California West Port of Entry. LEON was the driver of a Mercury
11 passenger car. The Mercury was registered to LEON.

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13 Customs and Border Protection Officer (CBPO) J. Chavez took a negative
14 Customs declaration from LEON. LEON stated that he was going to Game Stop in
15 Calexico, California. LEON advised CBPO Chavez that he had owned the Mercury for
16 four (4) months. LEON's hands trembled as he handed documentation to CBPO
17 Chavez. CBPO Chavez observed that LEON appeared to be avoiding eye contact.
18 LEON was referred to secondary inspection.

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20 In secondary, CBP Canine Enforcement Officer (CEO) D. Alba used his Narcotic
21 Detector Dog (NDD) to screen the Mercury. The NDD alerted to the odor of controlled
22 substances in the area of the rear of the Mercury.

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24 CBPO C. Dorantes continued the inspection and received a negative Customs
25 declaration from LEON. LEON said that he had owned the Mercury for four (4) months.
26 LEON told CBPO Dorantes that he was headed to Game Stop to purchase a game
27 system. CBPO Dorantes observed that LEON's hands trembled.
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1 A search of the Mercury resulted in the recovery of 24 packages containing a
2 white powder concealed within a specially built compartment within the trunk of the
3 Mercury. A sample of the powder field-tested positive for cocaine. The total weight of
4 the packages was 29.24 kilograms.
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